

H. R. 398.

[No Report.]

IN THE HOUSE OF REPRESENTATIVES,

SEPTEMBER 17, 1850.

Read twice, lies on the Speaker's table, and ordered to be printed.

Mr. BOWLIN, from the Committee on Public Lands, reported the following bill :

A BILL

Granting the State of Missouri a right of way, and a portion of the public land, for making a railroad from St. Louis, to the western limits of said State.

1 *Be it enacted by the Senate and House of Repre-*
2 *sentatives of the United States of America in Congress*
3 *assembled,* That there be, and is hereby, granted to the
4 State of Missouri, for the purpose of aiding in making a
5 railroad, known as the "Pacific railroad," from the city
6 of St. Louis to a point in Cass county, on the western
7 frontier of said State, on the route that has been or may
8 be designated, under the authority of the legislature there-
9 of, every alternate section of land designated by even num-
10 bers, for six sections in width on each side of said road :

11 *Provided*, That in case it shall appear that the United
 12 States have, when the line or route of said road is defini-
 13 tively fixed by the authority aforesaid, sold any part of any
 14 section hereby granted, or that the right of pre-emption has
 15 attached to the same, or that the same has been reserved
 16 for school or other purposes, then it shall be lawful for any
 17 agent or agents, to be appointed by the Governor of said
 18 State, to select, subject to the approbation of the Secretary
 19 of the Interior for the purpose aforesaid, of the lands re-
 20 maining to the United States in said sections, one-half
 21 thereof in alternate parts, so far as may be practicable :
 22 *And provided further*, That said agent or agents may,
 23 subject to the approval aforesaid, select from the lands of
 24 the United States most contiguous to the tier of sections
 25 above specified, so much land in alternate sections, or parts
 26 of sections, within fifteen miles of said road, as shall be
 27 equal to such lands as the United States have sold, or which
 28 have been reserved, or to which the right of pre-emption
 29 has attached, as aforesaid ; which lands being equal in
 30 quantity to one-half of six sections in width, on each side
 31 of said road, the State of Missouri shall have and hold
 32 to and for the use and purpose aforesaid, and for none
 33 other whatever.

1 SEC. 2. *And be it further enacted*, That the sections
 2 and parts of sections of land which by such grant shall re-

3 main to the United States within six miles on each side of
4 said railroad, shall not be sold for less than double the
5 minimum price of the public lands when sold.

1 SEC. 3. *And be it further enacted*, That the said lands
2 hereby granted to the said State, shall be subject to the
3 disposal of the Legislature thereof for the purposes afore-
4 said, and no other; and the said railroad shall be and re-
5 main a public highway, for the use of the Government of
6 the United States, free from toll or other charge, upon
7 the transportation of any property or troops of the United
8 States.

1 SEC. 4. *And be it further enacted*, That if the said
2 railroad shall not be completed within ten years, the said
3 State of Missouri shall be bound to pay to the United
4 States the amount which may be received upon the sale
5 of any part of said lands by said State, the title to the
6 purchasers under said State remaining valid; and the title
7 to the residue of said lands shall reinvest in the United
8 States, to have and hold the same in the same manner as
9 if this act had not been passed, and the second section
10 thereof shall from thenceforth be deemed null and void.

1 SEC. 5. *And be it further enacted*, That, before it
2 shall be competent for the State of Missouri to dispose of
3 any of the lands to be selected as aforesaid, a plat or plats
4 of the courses, distances, and points of termination of said

5 railroad, shall be furnished by the said State to the Com-
6 missioner of the General Land Office.

1 SEC. 6. *And be it further enacted*, That the State
2 of Missouri be, and is hereby, authorized to survey and
3 mark, or cause to be surveyed and marked, through the
4 public lands of the United States, the route of said railroad,
5 and that seventy-five feet of said lands on each side of the
6 centre or middle of the track of said road, be reserved from
7 sale on the part of the United States, and the use thereof
8 forever vested in the said State, for the purpose aforesaid,
9 and none other.

1 SEC. 7. *And be it further enacted*, That no lands
2 reserved for schools, or for military or other purposes, nor
3 any to which the right of pre-emption has attached, shall
4 be deemed to be granted, nor shall the same be selected by
5 said State under this act.

1 SEC. 8. *And be it further enacted*, That the United
2 States' mail shall, at all times, be transported on said rail-
3 road, under the direction of the Post Office Department,
4 at a reasonable price; and in case of a disagreement be-
5 tween the State and the Post Office Department, the mat-
6 ter in difference shall be referred to the United States Dis-
7 trict Judge for the District of Missouri, subject to the
8 control of Congress at all times.